

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

FITLIFE BRANDS, INC.,

Plaintiff,

vs.

SUPREME SPORTS ENHANCEMENT,  
L.L.C.,

Defendant.

**8:14CV241**

**MEMORANDUM AND ORDER**

After convening a joint conference on the record with Brian T. McKernan, counsel of record for the plaintiff, V. Gene Summerlin Jr., counsel of record for the defendant, and Mr. Ross Erstling, President of Supreme Sports Enhancements, L.L.C.,

IT IS ORDERED:

1) The motion to withdraw filed by Attorney V. Gene Summerlin, Jr. as counsel on behalf of Defendant Supreme Sports Enhancement, L.L.C., (Filing No. 10), is granted.

2) On or before January 12, 2015, Defendant Supreme Sports Enhancement, L.L.C., shall obtain the services of counsel and have that attorney file an appearance on its behalf, in the absence of which the court may file an entry and/or judgment of default against it without further notice.<sup>1</sup>

3) As stated on the record, Mr. Ross Erstling is specifically advised and ordered to have no contact with my chambers regarding the merits of the case or Defendant Supreme Sports Enhancement, L.L.C.'s disagreement or dispute with Mr. Summerlin. Mr. Erstling is not an attorney and cannot represent Defendant Supreme Sports Enhancement, L.L.C. As to scheduling issues that may arise before Defendant Supreme Sports Enhancement, L.L.C. is represented by counsel, Mr. Ross Erstling shall

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<sup>1</sup> Defendant Supreme Sports Enhancement, L.L.C., a limited liability company, cannot litigate its action in this forum without representation by licensed counsel. [Knoefler v. United Bank of Bismarck, 20 F.3d 347, 347-48 \(8th Cir. 1994\).](#)

not contact my chambers, Judge Gerrard's chambers, or the Clerk's office without including counsel for the plaintiff in the email or telephonic communications.

- 4) The clerk shall mail a copy of this order to:

Supreme Sports Enhancements, L.L.C.  
Mr. Ross Erstling, President  
629 Grove Street  
Jersey City, NJ 07310  
[ross@ssenhancements.com](mailto:ross@ssenhancements.com)

December 12, 2014.

BY THE COURT:

*s/ Cheryl R. Zwart*  
United States Magistrate Judge